

## UNITED STATES DISTRICT COURT

for the  
District of Arizona

United States of America )

v. )

Santiago Murillo-Pacheco, ) Case No. 17-9409 MJ

a.k.a.: Santiago Murillo P., )

a.k.a.: Santiago Murio, )

(A098 437 377) )

Defendant

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of September 17, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Santiago Murillo-Pacheco, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about June 16, 2015, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1). I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

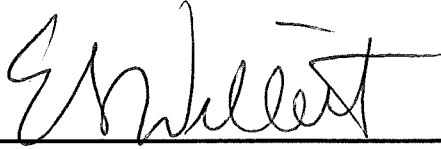
**See Attached Statement of Probable Cause Incorporated by Reference Herein**

REVIEWED BY: Charles E. Bailey, P.S. for AUSA Jonathan R. Hornok

☒ Continued on the attached sheet.  
Complainant's signatureSteven T. Case,  
Deportation Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: September 18, 2017  
Judge's signatureCity and state: Phoenix, ArizonaEileen S. Willett,  
United States Magistrate Judge

Printed name and title

## STATEMENT OF PROBABLE CAUSE


I, Steven T. Case, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On September 17, 2017, Santiago Murillo-Pacheco was booked into the Maricopa County Jail (MCJ) intake facility by the Phoenix Police Department on local charges. While incarcerated at the MCJ, Murillo-Pacheco was examined by ICE Officer R. Rodriguez who determined him to be a Mexican citizen, illegally present in the United States. On the same date, an immigration detainer was lodged with the county jail. On September 17, 2017, Murillo-Pacheco was released from the MCJ and transported to the Phoenix ICE office for further investigation and processing. Murillo-Pacheco was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Santiago Murillo-Pacheco to be a citizen of Mexico and a previously deported criminal alien. Murillo-Pacheco was removed

from the United States to Mexico at or near Nogales, Arizona, on or about June 16, 2015, pursuant to the reinstatement of an order of removal issued by an immigration judge. There is no record of Murillo-Pacheco in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Murillo-Pacheco's immigration history was matched to him by electronic fingerprint comparison.

4. Criminal history checks revealed that Santiago Murillo-Pacheco was convicted of Re-Entry of Removed Alien, a felony offense, on March 23, 2015, in the United States District Court, District of Arizona. Murillo-Pacheco was sentenced to eighteen (18) months' imprisonment and three (3) years' supervised release. Murillo-Pacheco's criminal history was matched to him by electronic fingerprint comparison.
5. On September 17, 2017, Santiago Murillo-Pacheco was advised of his constitutional rights. Murillo-Pacheco freely and willingly acknowledged his rights and agreed to provide a statement under oath. Murillo-Pacheco stated that his true and complete name is "Santiago Murillo P," and that he is a citizen of Mexico. Murillo-Pacheco stated that he illegally entered the United States one (1) year ago, through the desert, at Nogales. Murillo-Pacheco further stated that he had been removed from the United States to Mexico on three (3) occasions.

6. For these reasons, this affiant submits that there is probable cause to believe that on or about September 17, 2017, Santiago Murillo-Pacheco, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about June 16, 2015, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).



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Steven T. Case,  
Deportation Officer,  
Immigration and Customs Enforcement

Sworn to and subscribed before me  
this 18<sup>th</sup> day of September, 2017.



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Eileen S. Willett,  
United States Magistrate Judge